

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

AMERICAN ECONOMY INSURANCE
COMPANY,

Plaintiff,

V.

SKOUTERIS WALK, PLLC, et al.,

Defendants.

No. 16-cv-2494-SHL-cgc

**ORDER GRANTING CONSENT JUDGMENT AS TO AMERICAN
ECONOMY INSURANCE COMPANY, SKOUTERIS WALK, PLLC AND
WILLIAM B. WALK**

JUDGMENT BY COURT. This matter having come before the Court upon the mutual agreement and request for entry of a consent judgment by the Plaintiff, American Economy Insurance Company (“American Economy”) and Defendants Skouteris Walk, PLLC (“Skouteris Walk”) and William B. Walk, Jr. (collectively, the “Parties”). (ECF No. 25.) Based on the agreement of the parties, the Court finds as follows:

1. American Economy is an insurance company licensed to do business in Tennessee.

2. Skouteris Walk is a professional limited liability company and, at all relevant times, operated as a law firm in Memphis, Tennessee.

3. William B. Walk, Jr. is an attorney licensed to practice in Tennessee and was, at all relevant times, the managing member of Skouteris Walk.

4. American Economy issued an insurance policy to the named insured “Skouteris Walk LLC” for the period from June 26, 2015 to June 26, 2016 (cancelled effective September 27, 2016), policy number 02-BP-0742753-8. American Economy issued an insurance policy to the named insured “Skouteris & Magee, PLLC” for the period from June 26, 2014 to June 26,

2015, policy number 02-BP-742753-7. True and accurate copies of both insurance policies (the “Policies”) were filed with American Economy’s Petition for Declaratory Judgment (DN 1) and are part of the record in this action.

5. Skouteris Walk is a defendant in a civil action pending in the Chancery Court of Tennessee for the 30th Judicial District at Memphis, styled *Marci Laverdet v. Michael C. Skouteris, et al.*, Case No. CH-16-0538-3 (the “Laverdet Suit”). A copy of the Complaint in the Laverdet Suit was filed with American Economy’s Petition and is part of the record in this action.

6. Skouteris Walk and William B. Walk, Jr. are defendants in a civil action pending in the Circuit Court of Tennessee for Robertson County at Springfield, styled *Darline May ex rel. Scharlene Cain v. William B. Walk, Jr., et al.*, Case No. 74CCI-2016-CV-232 (the “May/Cain Suit”). A copy of the Complaint in the May/Cain Suit was filed with American Economy’s Petition and is part of the record in this action.

7. American Economy provided Skouteris Walk a defense in the Laverdet Suit, subject to a reservation of rights, including American Economy’s right to deny coverage and withdraw its defense, and the right to seek reimbursement of defense costs paid on behalf of Skouteris Walk.

8. American Economy provided Skouteris Walk and William B. Walk, Jr. a defense in the May/Cain Suit, subject to a reservation of rights, including American Economy’s right to deny coverage and withdraw its defense, and the right to seek reimbursement of defense costs paid on behalf of Skouteris Walk and William B. Walk, Jr.

9. American Economy initiated the present action seeking, in part, a declaration of rights concerning its contractual obligations, if any, to Skouteris Walk and William B. Walk, Jr.

in connection with the Laverdet Suit and the May/Cain Suit. American Economy has also asserted claims against Skouteris Walk and William B. Walk, Jr. for reimbursement of defense costs incurred on their behalf in connection with the Laverdet Suit and the May/Cain Suit.

10. Skouteris Walk and William B. Walk, Jr. have been served with the Petition for Declaratory Judgment and have agreed to submit to the jurisdiction of this Court for the purposes of this Consent Judgment.

11. Skouteris Walk and William B. Walk, Jr., having reviewed the Policies, agree that the Policies do not cover the claims alleged against Skouteris Walk and William B. Walk, Jr. in the Laverdet Suit or the May/Cain Suit. Skouteris Walk and William B. Walk, Jr. thus agree that American Economy has no obligation to defend or indemnify Skouteris Walk or William B. Walk, Jr. in connection with those lawsuits.

12. The Parties have also agreed to a settlement of American Economy's claims for reimbursement of defense costs incurred in the Laverdet Suit and the May/Cain Suit.

The Court being otherwise sufficiently advised:

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED THAT American Economy has no obligation to defend or indemnify Skouteris Walk or William B. Walk, Jr. with respect to any claims asserted in, or arising out of, the Laverdet Suit or the May/Cain Suit.

IT IS FURTHER ORDERED THAT American Economy's claims in this action against Skouteris Walk and William B. Walk, Jr. for reimbursement of defense costs, are hereby **DISMISSED, WITH PREJUDICE**, with each of the Parties to bear its own costs and attorney's fees in this action.

Upon approval and entry by the Court, this Consent Judgment shall constitute a final and appealable judgment as to the Parties, the Court having determined there is no just reason for delay.

APPROVED:

s/ Sheryl H. Lipman
UNITED STATES DISTRICT JUDGE

September 22, 2016
Date